



MEMO ENDORSED

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July 23, 2025

Via ECF Only

Honorable Paul G. Gardephe, Judge  
United States District Court  
Southern District of New York  
40 Foley Square, Room 2204  
New York, New York 10007

*The Court will address these matters  
at the scheduled July 25, 2025 conference.*

SO ORDERED:

Paul J. Sande  
Paul G. Gardephe, U.S.D.J.  
Dated: July 23, 2025

**Re: *Dinean Davis, Individually and on Behalf of her Infant Child, J.D. v. Winston Preparatory School, et al.***

**Venue:** United States Southern District  
**Docket No.:** 1:21-CV-08209-PGG  
**Our File No.:** 22643.8

Dear Judge Gardephe:

We represent Defendants, Winston Preparatory School, Sandy Hagerty, and William DeHaven in the referenced matter. We respectfully write pursuant to Your Honor's Rule I (A) and I (D), to request a stay portions of the Court's June 30, 2025 and July 16, 2025 Orders relative to our responsive pleading deadline, and regarding submission of a case scheduling order. See Dkt. Nos. 67 and 68. This is Defendants first request for an extension.

Since plaintiff's counsel unexpectedly passed away, and Nesenoff and Miltenberg have indicated this case is not being handled by the firm, defendants respectfully request that a stay be put into effect until **at least** sixty-days after our upcoming court conference on July 25, 2025. *See* Dkt. No. 69, Letter Motion from Nesenoff & Miltenberg. This stay will prevent prejudice to the parties, including plaintiff, and afford plaintiff time to obtain new counsel or proceed with this matter as a *pro se* litigant. We were unable to obtain consent from plaintiff, as we do not have plaintiff's current contact information. However, we spoke with plaintiff's former counsel, who does not object to this letter

We thank the Court for its time and attention to this matter. Our office is available should Your Honor have any questions or require anything further.

**WILSON ELSER MOSKOWITZ EDELMAN & DICKER LLP**

*/s/ Tatjana Calimpang-Burke*

Tatjana Calimpang-Burke, Esq.  
Attorneys for Defendants